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Security Council

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 2 April 2018 from the Permanent Mission of Spain to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Spain to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith its report on the implementation of resolution 2397 (2017) in accordance with paragraph 17 of that resolution (see annex).

18-05646 (E) 200418 200418

Please recycle

Annex to the note verbale dated 2 April 2018 from the Permanent Mission of Spain to the United Nations addressed to the Chair of the Committee

Report of Spain on the implementation of Security Council resolution 2397 (2017)

The Permanent Mission of Spain to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, pursuant to paragraph 17 of Security Council resolution 2397 (2017), has the honour to submit its report on the concrete measures taken by Spain to ensure effective implementation of the provisions of that resolution.

In response to the nuclear tests conducted by the Democratic People's Republic of Korea throughout 2017 and, in particular, following the ballistic missile launch on 28 November 2017, the Security Council adopted resolution 2397 (2017) imposing fresh international sanctions against that country and expanding the scope of the measures previously adopted.

The States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea set forth in resolution 2397 (2017) through the adoption of the following common measures:[1]

(a) Council Implementing Decision (CFSP) 2018/16 of 8 January 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which adds persons and an entity to the list of those subject to restrictive measures, namely entry bans and asset freezes;

(b) Council Implementing Regulation (EU) 2018/12 of 8 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea;

(c) Council Decision (CFSP) 2018/293 of 26 February 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea;

(d) Council Regulation (EU) 2018/285 of 26 February 2018 amending Council Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea.

Council Decision (CFSP) 2018/293 reflects the commitment of the European Union to resolution 2397 (2017) by implementing the following measures:

- By Council Decision (CFSP) 2017/1860 of 16 October 2017, the European Union had already adopted a complete ban on the export of crude oil to the Democratic People's Republic of Korea, with the exception of humanitarian exports approved by the Committee in advance on a case-by-case basis. Council Decision (CFSP) 2018/293 makes it clear that the ban applies to the direct or indirect supply of crude oil, whether or not originating in the territories of the member States, to the Democratic People's Republic of Korea using pipelines, rail lines or vehicles;
- By Council Decision (CFSP) 2017/1860, the European Union had already introduced a complete ban on the export of refined petroleum products, with the exception of humanitarian exports that met the conditions set out in paragraph 14 of resolution 2375 (2017) and had been authorized by the competent authority

[1] All common measures are published in the *Official Journal of the European Union*.

of a member State. Council Decision (CFSP) 2018/293 stipulates that the amount of refined petroleum products exported, using pipelines, rail lines or other vehicles, may not exceed 500,000 barrels per year;

- Prohibition on importing food and agricultural products, machinery, electrical equipment, earth and stone (including magnesite and magnesia), wood and vessels;
- Prohibition on acquiring fishing rights from the Democratic People's Republic of Korea;
- Prohibition on exporting all industrial machinery, transportation vehicles, iron, steel and other metals, unless it has been determined by a member State that the provision of spare parts is needed to maintain the safe operation of passenger aircraft of the Democratic People's Republic of Korea;
- Obligation to repatriate to the Democratic People's Republic of Korea all nationals of that country earning income in that member State's jurisdiction and all Democratic People's Republic of Korea Government safety oversight attachés monitoring Democratic People's Republic of Korea workers abroad immediately, and no later than 21 December 2019, with some exceptions subject to applicable national and international law;
- Obligation of member States to seize, inspect and impound any vessel in their ports, and authority of member States to seize, inspect and impound any vessel subject to their jurisdiction in their territorial waters where there are reasonable grounds to believe that the vessel has been involved in activities, or the transport of items, prohibited under the Security Council resolutions concerning the Democratic People's Republic of Korea. Under certain conditions, the provisions concerning the impounding of vessels shall not apply;
- Obligation to cooperate as promptly as possible with another State which has information that leads it to suspect that the Democratic People's Republic of Korea is attempting to illicitly export cargo where that State requests additional maritime and shipping information;
- Prohibition on providing insurance or reinsurance services to vessels identified as being involved in activities, or the transport of items, prohibited under the Security Council resolutions concerning the Democratic People's Republic of Korea, unless the Committee determines, on a case-by-case basis, that the vessel is engaged in activities exclusively for livelihood or humanitarian purposes;
- Obligation to deregister any vessel where there are reasonable grounds to believe that the vessel has been involved in activities, or the transport of items, prohibited under the Security Council resolutions concerning the Democratic People's Republic of Korea;
- Prohibition on providing classification services to vessels identified as being involved in activities, or the transport of items, prohibited under the Security Council resolutions concerning the Democratic People's Republic of Korea, unless approval has been granted in advance by the Committee on a case-by-case basis;
- Prohibition on registering any vessel that has been deregistered by another State, except as approved in advance by the sanctions comm ttee on a case-by-case basis;
- Prohibition on exporting new or used vessels covered by Council Decision (CFSP) 2017/345;

- Obligation to seize and dispose of items the export of which is prohibited under resolution 2397 (2017);
- Prohibition on satisfying claims connected with any contract or transaction the performance of which has been affected by the measures imposed pursuant to resolution 2397 (2017).

Spain also has comprehensive national legislation in various areas which are closely related to some of the matters covered by resolution 2397 (2017), including non-proliferation, international trade in certain types of goods, entry and travel bans and financial measures; these laws complement the above-mentioned legal instruments adopted within the European Union.

Measures adopted for the effective implementation of the provisions of resolution 2397 (2017)

Measures related to the embargo on conventional weapons and weapons of mass destruction, as well as on related materials, equipment, goods and technology

Spain has its own legislation on the control of foreign trade in defence-related and dual-use materials, which subjects such transactions to strict prior controls and, where the export of such materials is not prohibited, the requirement to obtain the relevant administrative licence from the competent national licensing authority.

The applicable national legislation is Act No. 53/2007 of 28 December 2007 on the control of foreign trade in defence-related and dual-use materials and Royal Decree No. 679/2014 of 1 August 2014 approving the Regulations on the control of foreign trade in defence-related material, other material and dual-use items and technology. However, pursuant to the above-mentioned legislation, there is currently no trade in weapons or related goods between Spain and the Democratic People's Republic of Korea.

The above legislation applies to the ban on the direct or indirect supply, sale or transfer to the Democratic People's Republic of Korea of nuclear-related, ballistic missile-related or other weapons of mass destruction-related items, materials, equipment, goods or technology.

Council Regulation (EC) No. 428/2009 of 5 May 2009, setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items is also noteworthy. This Regulation gives member States the power to prevent the brokering of any goods or materials that could be used in connection with a weapons-of-mass-destruction programme in their destination country, or of any dual-use material with possible military use in a State subject to an arms embargo.

Trade restrictions

With regard to defence-related and dual-use materials, no operations requiring authorization by the Spanish authorities have been conducted since the sanctions were imposed.

Applications for licences for the import or export of goods to or from the Democratic People's Republic of Korea are examined on a case-by-case basis by the competent national authority, which shall grant the required licences only once it has been verified that the conditions established by the relevant national, international and European Union provisions have been met.

In the case of exports to countries considered sensitive or subject to an embargo, such as the Democratic People's Republic of Korea, a strengthened and exhaustive examination is conducted before any licence is granted. Spain has an alert system in place that was established by the Customs and Excise Department, which is the

department responsible for identifying imports from and exports to countries subject to restrictive measures and stopping the customs clearance of the goods concerned. These filters were established for any goods originating in or headed to the Democratic People's Republic of Korea. The export of such goods without the required licence constitutes an offence in accordance with the criminal legislation in force, in particular Organic Act No. 12/1995 of 12 December 1995 on countering smuggling.

Exporting certain luxury goods, the complete list of which is contained in annex VIII of Council Regulation (EU) 2017/1509 of 30 August 2017, constitutes a criminal offence under current Spanish legislation and is punishable by law.

Entry bans and travel restrictions

By Council Implementing Decision (CFSP) 2017/1459 of 10 August 2017 and Commission Implementing Regulation (EU) 2017/1457 of 10 August 2017, the European Union has incorporated the persons and entities subject to entry and travel bans added to the list by resolution 2397 (2017).

Resolution 2397 (2017) and Council Regulation (EC) No. 539/2001 of 15 March 2001, which lists the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement, form the basis for denying entry into the territory of the European Union.

In this regard, Spanish policy on foreign nationals is governed by Organic Act No. 4/2000 of 11 January 2000 on the rights and freedoms of aliens in Spain and their social integration.

Transport restrictions

The entry of vessels into Spanish ports open to national and international maritime navigation is subject to the rules set out in Act No. 14/2014 of 24 July 2014 on maritime navigation, and to the other legislation pertaining to ports, security, customs, aliens and immigration, police, health, the environment and fisheries, including the established operational conditions. Within the scope of its competences, the maritime administration shall authorize or refuse entry into waters over which Spain has sovereignty, sovereign rights or jurisdiction, and the port administration shall authorize the entry into ports in the national territory, meaning that authorization granted by the port administration to enter port shall always be subject to compliance with legislation and other related rules.

There is currently no direct air link between Spain and the Democratic People's Republic of Korea and there are no plans to operate commercial flights between the two countries. However, Spain has a licensing department and any future requests relating to flights to or from the Democratic People's Republic of Korea will be subject to the relevant legislation.

Financial measures and asset freezes

Spain has specific legislation on countering money-laundering and international terrorist financing. Article 42 of Act No. 10/2010 of 28 April 2010 on preventing money-laundering and terrorist financing explicitly mentions the freezing of funds in accordance with international sanctions and is fully applicable to the Democratic People's Republic of Korea.

Measures taken to prohibit the establishment of and participation in companies of the Democratic People's Republic of Korea in certain sectors

The extension of sanctions against the Democratic People's Republic of Korea provides for a ban on the establishment of joint venture companies and the acquisition of any equity, through the purchase of shares or other assets, in companies involved in nuclear programmes or the production of ballistic missiles or other weapons of mass destruction, as well as the conventional arms, metallurgical, mining, chemical, refining and aerospace industries.

In addition, the prohibition includes financing or financial assistance and the provision of direct or indirect investment services related to the above activities.

Spain has specific national legislation on Spanish investments abroad and foreign investments in Spain, namely Royal Decree No. 664/1999 of 23 April 1999 on foreign investments and Act No. 19/2003 of 4 July 2003 on the legal framework for capital transfers and financial transactions abroad and certain measures to prevent money-laundering, which complement Act No. 10/2010 of 28 April 2010 on the prevention of money-laundering and terrorist financing.

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Security Council Committee established pursuant to resolution 1718 (2006)

Letter dated 3 April 2018 from the Permanent Representative of Belarus to the United Nations addressed to the Chair of the Committee

I have the honour to address you in your capacity as Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and to convey herewith information on the implementation by the Republic of Belarus of Security Council resolution 2397 (2017) (see annex).

(*Signed*) Valentin **Rybakov**

18-05647 (E) 160418 200418

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Annex to the letter dated 3 April 2018 from the Permanent Representative of Belarus to the United Nations addressed to the Chair of the Committee

[Original: Russian]

Report of Belarus on the implementation of Security Council resolution 2397 (2017)

In accordance with paragraph 17 of Security Council resolution 2397 (2017), the Republic of Belarus has the honour to report the following.

The provisions of Security Council resolution 2397 (2017) have been brought to the attention of the relevant State authorities in the Republic of Belarus and, in accordance with domestic law, have been taken up by them for guidance in their work.

We further inform you that in December 2017, the Republic of Belarus took measures leading to the departure of Kim Sou Kwang (also known as Kim Soukwang and Kim Su Gwang), born in 1976, a confirmed operative of the Reconnaissance General Bureau of the Democratic People's Republic of Korea.

Belarus remains committed to fulfilling its international obligations, including by implementing the resolutions of the Security Council.

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 3 April 2018 from the Permanent Mission of Colombia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Colombia to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to refer to resolutions 2371 (2017), 2375 (2017) and 2397 (2017) concerning the Democratic People's Republic of Korea.

In that connection, and pursuant to paragraph 18 of resolution 2371 (2017), paragraph 19 of resolution 2375 (2017) and paragraph 17 of resolution 2397 (2017), concerning the submission of implementation reports and on the concrete measures taken in order to implement effectively the provisions of these resolutions, the Colombian State would like to provide the following information:

In accordance with the above-mentioned paragraphs, and taking into account the commitment of Colombia to the international instruments and principles relating to disarmament and the non-proliferation of weapons of mass destruction and their means of delivery, the Government has communicated the provisions of the above-mentioned resolutions to the competent institutions and has requested that they take the measures required to implement them.

As at 2018, the Ministry of Foreign Affairs of Colombia has published more than 18 press releases strongly condemning the nuclear tests and ballistic missile launches conducted by North Korea.

The Colombian Ministry of Foreign Affairs has led measures to disseminate the obligations arising from the above-mentioned resolutions in an effort to ensure effective implementation of the sanctions. To that end, meetings have been held at the highest level with the national migration authority Migración Colombia, the Ministry of Trade, Industry and Tourism, the Intelligence and Financial Analysis Unit and the Directorate of National Taxes and Customs, among other entities. In addition, internal workshops have been held on best practices for sanctions implementation, which were jointly organized with external partners such as the Inter-American Committee against Terrorism of the Organization of American States.

Article 81 of the Colombian Constitution prohibits the manufacture, importation, possession or use of chemical, biological or nuclear weapons, and the entry of nuclear or toxic waste into the country. Consequently, in Colombia, the

proliferation of weapons of mass destruction is an offence under sections 334,358,359, 362, 363, 367 and 374 of the Criminal Code (Act No. 599 of 2000).

The Ministry of Trade, Industry and Tourism issued Circular No. 7 on 12 February 2018, in order to make users, Ministry officials and the entities that participate in the "one-stop-shop" for foreign trade aware of the bans and restrictions established in the relevant Security Council resolutions. Similarly, the Directorate of National Taxes and Customs of Colombia has been using its risk profiling systems to implement the necessary selectivity measures for foreign trade transactions involving the Democratic People's Republic of Korea.

The provisions of the relevant resolutions have been communicated to all departments of the Colombian customs authority. In addition, the provisions of Decree No. 390 of 2016 include the implementation of the bans and restrictions on trade with the Democratic People's Republic of Korea, as contained in articles 182, 276, 391 and 468. The Decree also establishes a risk assessment system to prevent the proliferation of weapons of mass destruction and their financing, under articles 45, 50, 53, 493, 526 and 542.

On 30 November 2015, the Ministry of Foreign Affairs of Colombia, the Intelligence and Financial Analysis Unit, the Superintendence of Finance and the Attorney-General's Office signed an inter-agency cooperation agreement for the implementation of United Nations Security Council resolutions, including those relating to the Democratic People's Republic of Korea. The agreement establishes the procedure for imparting the relevant precautionary measures in order to ensure the freezing of funds and/or assets in the event that those funds and/or assets are held by a natural or legal person designated by the United Nations Security Council in the resolutions relating to the Democratic People's Republic of Korea.

The Superintendence of Finance of Colombia issued external circular No. 055 of 2016, which includes, in paragraph 6 of chapter IV, title IV, first part, a provision on freezing and prohibition of use of funds or other assets of individuals and entities designated by the Security Council who are associated with the financing of the proliferation of weapons of mass destruction.

The migration and aviation authorities of Colombia have been taking the necessary measures to prevent designated persons from entering or transiting through Colombia. The measures include dissemination of the lists to concessionaires and port managers, as well as to the various airlines operating in the country. The migration authority in Colombia has included in its "Platinum" database relevant warnings concerning designated individuals who are subject to a travel ban. The database is linked to the International Criminal Police Organization (INTERPOL) database and to the Colombian alien registration and information system.

The Colombian Maritime Directorate has been disseminating the resolutions to harbourmasters and inspectors to ensure implementation of the relevant provisions on maritime matters.

Thus, Colombia has been taking the steps required to implement the provisions of the resolutions, including those relating to embargoes on arms and related materiel, as well as the provisions aimed at preventing the proliferation of weapons of mass destruction and the emergence of proliferation networks. It has also disseminated all sanctions relating to interdiction and transportation, as well as those relating to bunkering services, asset freezing, the disposal of seized assets, financial measures and travel bans.

Furthermore, the Government has disseminated to Colombian institutions the sanctions in the areas of specialized teaching and training, and scientific and technical cooperation, as well as the bans and restrictions on trade with the Democratic People's

Republic of Korea. Lastly, it has disseminated other bans contained in the resolutions relating to statues, new helicopters, vessels, luxury goods and all obligations arising from the resolutions in this area.

For Colombia, implementation of the Security Council resolutions on this subject is a matter of utmost importance, in line with the Colombian State's unwavering commitment to disarmament and non-proliferation of weapons of mass destruction, as well as to international peace and security.

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Security Council Committee established pursuant to resolution 1718 (2006)

Letter dated 4 April 2018 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Chair of the Committee

I have the honour to refer to paragraph 18 of Security Council resolution 2371 (2017), paragraph 19 of Security Council resolution 2375 (2017) and paragraph 17 of resolution 2397 (2017), which call upon all Member States to report to the Council on concrete measures that they have taken to implement effectively the provisions of the resolutions.

In that respect, I have the honour to submit to the Security Council Committee established pursuant to resolution 1718 (2006) the report of the Government of the Democratic Socialist Republic of Sri Lanka on the implementation of resolutions 2371 (2017), 2375 (2017) and 2397 (2017) (see annex).

(*Signed*) Amrith Rohan **Perera**
Permanent Representative

18-05648 (E) 200418

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Annex to the letter dated 4 April 2018 from the Permanent Representative of Sri Lanka to the United Nations addressed to the Chair of the Committee

Report of Sri Lanka on the implementation of Security Council resolutions 2371 (2017), 2375 (2017) and 2397 (2017)

1. The Government of the Democratic Socialist Republic of Sri Lanka is committed to implementing Security Council resolutions, including resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017) and 2397 (2017), relating to the Democratic People's Republic of Korea.

2. Following the adoption of resolution 2321 (2016), Sri Lanka submitted its national implementation report to the Security Council Committee established pursuant to resolution 1718 (2006) in September 2017 (S/AC.49/2017/91). The present report outlines the steps taken by Sri Lanka in implementing the provisions of resolutions 2371 (2017), 2375 (2017) and 2397 (2017).

3. In order to promulgate the Security Council resolutions on the Democratic People's Republic of Korea in Sri Lanka, domestic regulations entitled "United Nations (Sanctions in relation to the Democratic People's Republic of Korea) Regulations of 2017" were gazetted by the Government of Sri Lanka on 6 October 2017, under the United Nations Act, No. 45 of 1968, in Extraordinary Gazette No. 2039/32. On 17 October 2017, the regulations were tabled in Parliament, thereby giving them effect. That Gazette may be accessed online at www.documents.gov.lk/files/egz/2017/10/2039-32_E.pdf.

4. It may be noted that the regulations give effect to Security Council resolution 1718 (2006) on the Democratic People's Republic of Korea, as well as its subsequent resolutions 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016) and 2371 (2017) and any other resolutions subsequent to those, including resolutions 2375 (2017) and 2397 (2017).

5. Following the Gazette notification, the Secretary to the Ministry of Defence of Sri Lanka was appointed as the competent authority to oversee and monitor the implementation of the regulations in the country. The competent authority convenes regular meetings with all relevant local stakeholders to ensure the effective implementation of the regulations in keeping with the relevant Security Council resolutions and in accordance with relevant domestic laws, regulations and administrative procedures. Furthermore, the Ministry of Defence has initiated the process of publishing, in the Gazette, the sanctions list established and maintained pursuant to resolution 1718 (2006) and the lists of designated items and luxury goods specified in annexes III and IV to resolution 2094 (2013), annex IV to resolution 2270 (2016) and annexes III and IV to resolution 2321 (2016). This will be followed by the gazetting of the contents of the annexes to resolutions 2371 (2017), 2375 (2017) and 2397 (2017).

6. The initial lists of designated items, persons and entities are being translated by the Financial Intelligence Unit of the Central Bank of Sri Lanka into the Sinhala and Tamil languages for gazetting purposes, and the lists will be gazetted by the competent authority by the end of March 2018.

7. Directives for implementing the regulations effectively (including the mechanism for disseminating the updates among reporting institutions) have been drafted and are currently under review by the competent authority. Directives will be issued by the competent authority after the initial lists are published.

8. The Financial Intelligence Unit of the Central Bank of Sri Lanka has taken action to publish the public statements of the Financial Action Task Force on its official website, thereby enabling financial institutions to apply enhanced due diligence measures on transactions related to the Democratic People's Republic of Korea.

9. In compliance with paragraphs 6 and 7 of resolution 2371 (2017), paragraphs 7 to 12 of resolution 2375 (2017) and paragraphs 9 to 15 of resolution 2397 (2017), no vessels of the Democratic People's Republic of Korea have been registered in the Sri Lankan registry and there are no vessels of the Democratic People's Republic of Korea in operation in Sri Lanka.

10. All the vessels arriving at Colombo Port are reported to Sri Lanka Customs, and such vessels are routinely inspected by Customs officers for compliance. No arrivals of any vessels subject to sanctions have been reported.

11. All commercial air transport operators (both national and foreign), including corporate jet operators operating in the territory of Sri Lanka under licence or permit issued by the Sri Lanka Civil Aviation Authority, and the airport operators have been directed to ensure strict compliance, when conducting specific business matters, with the travel ban on the individuals referred to in annex I to the relevant Security Council resolutions by taking the necessary steps to prevent their entry into or transit through the territory of Sri Lanka by air.

12. By gazetting the 2017 regulations on sanctions relating to the Democratic People's Republic of Korea, the Government of Sri Lanka has also taken the following measures:

(a) Any person is prohibited from permitting or providing any vessel or aircraft to be used for carrying out all prohibited activities under the regulations or for the purposes of the procurement of coal, iron, ore, copper, nickel, silver, zinc or statues from the Democratic People's Republic of Korea or its nationals;

(b) Any person in Sri Lanka or any citizen of Sri Lanka outside Sri Lanka shall not charter or lease an aircraft, provide crew services or sell new helicopters or vessels to the Democratic People's Republic of Korea or any person, entity or group acting on its behalf or directed by such persons and shall also refrain from applying to register vessels in the Democratic People's Republic of Korea or to use the flag of the Democratic People's Republic of Korea on vessels, from owning, leasing or operating any vessels flagged by the Democratic People's Republic of Korea and from providing vessel classification, certification or associated services or insurance services to vessels owned, controlled or operated by the Democratic People's Republic of Korea.

13. Paragraphs 8 to 10 of resolution 2371 (2017), paragraph 16 of resolution 2375 (2017) and paragraphs 6 and 7 of resolution 2397 (2017) require Member States to prohibit trade with the Democratic People's Republic of Korea in sectoral goods, including coal, iron, iron ore, lead, lead ore, textiles, seafood, gold, silver, food and agricultural products, machinery, electrical equipment, rare earth minerals, wood, vessels, all industrial machinery, transportation vehicles, steel and other metals, with the exception of spare parts to maintain commercial civilian passenger aircraft of the Democratic People's Republic of Korea currently in use. No trade of any commodity had taken place between Sri Lanka and the Democratic People's Republic of Korea during the period 2016–2017.

14. Any person in Sri Lanka or any citizen of Sri Lanka outside Sri Lanka is prohibited from supplying, selling or transferring, directly or indirectly, any item or any luxury item designated by the Security Council or the Committee to any person in the Democratic People's Republic of Korea or any person acting on behalf of the

Democratic People's Republic of Korea, whether or not the item originated in Sri Lanka, and shall also refrain from procuring, storing or transferring any such designated item or designated luxury item.

15. A person in Sri Lanka or a citizen of Sri Lanka outside Sri Lanka shall not provide public or private financial support for trade with the Democratic People's Republic of Korea, including the granting of export credit, guarantees or insurance to a person involved in trade with the Democratic People's Republic of Korea, and shall not receive technical training, advice, services or assistance related to all illegal activities with regard to the designated items from any person in the Democratic People's Republic of Korea or make available any funds, other financial assets or economic resources, directly or indirectly, to or for the benefit of any designated person or entity or any persons or entities connected thereto.

16. All the relevant departments and ministries of Sri Lanka have taken a number of measures to raise awareness, exercise vigilance and implement the regulations on the Democratic People's Republic of Korea.

17. In addition to the efforts to effectively implement the provisions of Security Council resolutions concerning the Democratic People's Republic of Korea, the Government of Sri Lanka supports all efforts for the non-proliferation and disarmament of weapons of mass destruction and condemns the nuclear and ballistic missile tests conducted by the Democratic People's Republic of Korea in violation of Council resolutions.

18. The Sri Lanka Atomic Energy Regulatory Council liaises with Sri Lanka Customs to implement the programme for detecting the illicit trafficking of nuclear materials and to ensure continuous control over material, technology and research that can be used for the development of nuclear weapons.

19. The Government of Sri Lanka will continue to contribute to international efforts to strengthen the global non-proliferation regime, and it remains committed to the active pursuit of nuclear disarmament.

20. Sri Lanka takes its obligations under resolutions 2371 (2017), 2375 (2017) and 2397 (2017) and all other Security Council resolutions on the Democratic People's Republic of Korea seriously and will continue to make all efforts to implement effectively the provisions of all resolutions. Sri Lanka also reiterates its commitment to cooperate closely with the Security Council Committee established pursuant to resolution 1718 (2006) and the Panel of Experts established pursuant to Security Council resolution 1874 (2009). Sri Lanka will continue to work closely with all Member States towards the full implementation of the resolutions to ensure their effectiveness.

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Note verbale dated 5 April 2018 from the Permanent Mission of Chile to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Chile to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith the report on the implementation of resolutions 2371 (2017), 2375 (2017) and 2397 (2017) on the Democratic People's Republic of Korea, which conveys the measures taken by Chile to implement effectively the provisions of the resolutions (see annex).

18-06372 (E) 250418 260418

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Annex to the note verbale dated 5 April 2018 from the Permanent Mission of Chile to the United Nations addressed to the Chair of the Committee

Report of Chile on the implementation of Security Council resolutions 2371 (2017), 2375 (2017) and 2397 (2017)

The Government of Chile has the honour to submit the following report on the implementation of Security Council resolutions 2371 (2017), 2375 (2017) and 2397 (2017) concerning the Democratic People's Republic of Korea.

Following its adoption by the Security Council, resolution 2371 (2017) was transmitted to the respective State institutions and agencies, with an emphasis on the new provisions related to trade and transport, as well as the new designations of individuals and entities on the sanctions list contained in annexes I and II.

On 4 July 2017, the Chilean Government condemned the ballistic missile launch conducted by the Democratic People's Republic of Korea on 3 July, expressing, in addition, concern at such actions that contribute to generating a climate of instability on the Korean Peninsula and hinder dialogue between the parties. Chile called on the Democratic People's Republic of Korea to halt the development of intercontinental ballistic missiles.

On 4 September 2017, the Government of Chile issued a communiqué in which it strongly condemned the nuclear test carried out two days earlier by the Democratic People's Republic of Korea. In that communiqué, the Chilean Government urged the Government of the Democratic People's Republic of Korea not to conduct any further nuclear detonations and to comply with the rules of the international system.

Furthermore, by means of a communiqué issued on 15 September 2017, the Government of Chile condemned the launch on that day of a ballistic missile by the Democratic People's Republic of Korea, calling on that country to resume dialogue and to implement Security Council resolutions 2371 (2017) and 2375 (2017).

On 29 March 2018, Supreme Decree No. 186 was published in the Official Gazette, instructing all authorities and organs to ensure full and strict implementation of the provisions of resolutions 2371 (2017) and 2375 (2017).

On 2 January 2018, the Ministry of Foreign Affairs requested the drafting of a Supreme Decree ordering State institutions and agencies to implement the measures adopted in resolution 2397 (2017).

On 8 January 2018, State institutions and agencies were informed, for their information and subsequent action, of the adoption of resolution 2397 (2017) and its main provisions, as well as the new designations of individuals and entities included in the sanctions list in annexes I and II.

Interministerial Committee for implementation of and compliance with Security Council resolutions

In addition, on 30 October 2017, the Directorate of International and Human Security of the Ministry of Foreign Affairs convened a meeting of the Interministerial Committee for the implementation of and compliance with Security Council resolutions. This body, established by Decree No. 14 of 2012, is responsible for coordinating the implementation of the resolutions adopted, with special emphasis on those adopted under Chapter VII of the Charter of the United Nations on sanctions.

The Committee is composed of the various State agencies and ministries responsible for their implementation in Chile.

At that meeting, the Committee analysed the Security Council resolutions on sanctions adopted against the Democratic People's Republic of Korea in 2016 and 2017, addressing their implementation, pending issues and future work.

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 9 April 2018 from the Permanent Mission of Austria to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Austria to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith Austria's report on the implementation of Security Council resolution 2371 (2017) in accordance with paragraph 18 of that resolution (see annex).

18-05769 (E) 240418

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Annex to the note verbale dated 9 April 2018 from the Permanent Mission of Austria to the United Nations addressed to the Chair of the Committee

Report of Austria on the implementation of Security Council resolution 2371 (2017)

1. Pursuant to paragraph 18 of Security Council resolution 2371 (2017), the Permanent Mission of Austria to the United Nations has the honour to inform the Security Council Committee established pursuant to resolution 1718 (2006) of the steps taken by the Government of Austria to implement the measures imposed in resolution 2371 (2017).

2. Austria and the other States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2371 (2017) through the following common measures:[1]

(a) Council Implementing Decision (CFSP) 2017/1459 of 10 August 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which implements the designation of additional persons and entities (travel ban and asset freeze);

(b) Commission Implementing Regulation (EU) 2017/1457 of 10 August 2017 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea,[2] which gives effect to Council Implementing Decision (CFSP) 2017/1459;

(c) Council Decision (CFSP) 2017/1562 of 14 September 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which implements the additional sectoral, financial as well as transportation-related prohibitions contained in resolution 2371 (2017), including by:

(i) Prohibiting the entry into member States' ports of vessels designated by the Committee pursuant to paragraph 6 of resolution 2371 (2017) except in case of emergency or in case of return to the port of origination, or unless approved in advance on a case-by-case basis by the Committee;

(ii) Prohibiting the procurement of coal, iron and iron ore from the Democratic People's Republic of Korea, unless the conditions set out in paragraph 8 of resolution 2371 (2017) are met;

(iii) Prohibiting the procurement of seafood from the Democratic People's Republic of Korea;

(iv) Prohibiting the procurement of lead and lead ore from the Democratic People's Republic of Korea;

(v) Prohibiting member States from exceeding, on any date after 5 August 2017, the total number of work authorizations for nationals of the Democratic People's Republic of Korea provided in the jurisdictions of member States and

[1] All common measures are published in the *Official Journal of the European Union*.

[2] Commission Implementing Regulation (EU) 2017/1457 is no longer in force, as it has been integrated into Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No. 329/2007.

valid on 5 August 2017, unless approved in advance on a case-by-case basis by the Committee;

(vi) Prohibiting the opening of new joint ventures or the expansion of existing joint ventures, unless approved in advance on a case-by-case basis by the Committee;

(d) Council Regulation (EU) 2017/1548 of 14 September 2017 amending Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Decision (CFSP) 2017/1562.

3. The above-mentioned Council regulations are binding in their entirety and directly applicable in all States members of the European Union. Council Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No. 329/2007 requires member States to determine the penalties applicable to infringements of their provisions. Penalties for violations of directly applicable European Union law are set out in the respective sections of the relevant Austrian legislation mentioned in paragraph 4 below. Non-compliance may constitute a criminal offence punishable by up to five years of imprisonment or by a fine of up to 360 times the applicable daily rate (e.g., in the case of the Foreign Trade Act).

4. In addition to the common European Union measures, within the scope of Austria's national implementation competence, the Austrian authorities apply the following Austrian legislation in implementing the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council:

(a) Sanctions Act 2010 (Federal Law Gazette I No. 36/2010, as amended);

(b) Foreign Trade Act (Federal Law Gazette I No. 26/2011, as amended), supplemented by the First Foreign Trade Regulation (Federal Law Gazette II No. 343/2011, as amended) and the Third Foreign Trade Regulation (Federal Law Gazette II No. 6/2015, as amended);

(c) War Materials Act (Federal Law Gazette I No. 57/2001, as amended) and War Materials Regulation (Federal Law Gazette. No. 624/1977);

(d) Foreign Exchange Act (Federal Law Gazette I No. 123/2003, as amended);

(e) Banking Act (Federal Law Gazette No. 532/1993, as amended).

5. As regards restrictions on admission (travel ban), Austria has enacted the following national legislation, which, together with Council Decision (CFSP) 2016/849 (as amended) and Regulation (EC) No. 539/2001, provides the basis for the refusal of admission and the denial of requests for visas:

(a) Aliens Police Act 2005 (Federal Law Gazette I No. 100/2005, as amended);

(b) Settlement and Residence Act (Federal Law Gazette I No. 100/2005, as amended).

The above-mentioned regulations require nationals of the Democratic People's Republic of Korea to be in possession of a visa when entering the European Union. The travel restrictions are implemented through the visa application process.

6. According to the competent national authorities, the implementation of the imposed measures does not currently pose any particular difficulty. The competent national authorities continue to exercise enhanced vigilance over the very limited bilateral import/export activities and continue to conduct outreach activities aimed at relevant trade and industry sectors to increase awareness of trade patterns and

activities of entities of the Democratic People's Republic of Korea and to provide information about changes in the sanctions regime.

7. The Government of Austria is fully committed to maintaining its high level of implementation and to keeping the measures taken under review, as necessary.

United Nations S/AC.49/2018/70

Security Council

Distr.: General
13 April 2018
English
Original: Spanish

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 11 April 2018 from the Permanent Mission of Uruguay to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Uruguay to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has to honour to submit herewith the report on the implementation of resolution 2397 (2017) (see annex).

18-06039 (E) 230418 250418

Please recycle

Annex to the note verbale dated 11 April 2018 from the Permanent Mission of Uruguay to the United Nations addressed to the Chair of the Committee

Report of Uruguay on the implementation of Security Council resolution 2397 (2017)

As a non-nuclear State, Uruguay is committed to strengthening the disarmament and non-proliferation regime. Its adherence to the multilateral normative framework is best complemented by its implementation of a foreign policy that emphasizes and promotes the need for continued progress in universal and transparent negotiations aimed at achieving general and complete disarmament under a strict international regime.

This is reflected in the accession to and ratification of a number of international instruments, including the following: the Treaty on the Non-Proliferation of Nuclear Weapons, the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean (Treaty of Tlatelolco), the International Convention for the Suppression of Acts of Nuclear Terrorism, the Convention on the Physical Protection of Nuclear Material, the Amendment to the Convention on the Physical Protection of Nuclear Material, the Comprehensive Nuclear Test-Ban Treaty, the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, and the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare.

The proliferation of nuclear, chemical and biological weapons and their means of delivery constitutes a threat to international peace and security. Uruguay therefore emphasizes the need for States to take all appropriate national measures, in accordance with their national authorities and legislation, and consistent with international law, to strengthen export controls, prevent proliferation financing and shipments, secure dual-use materials and control access to intangible transfers of technology and to information that could be used for the proliferation of weapons of mass destruction and their means of delivery.

In this context, it should be noted that Act No. 19.205 concerning chemical weapons and toxic chemicals is fully in effect in the Eastern Republic of Uruguay. The statute criminalizes the production, acquisition, development, transfer, import, export, trading in any capacity or use of any kind of chemical weapons, toxic chemicals or their precursors, contained in Schedules 1, 2 and 3 of the Chemical Weapons Convention.

As at the date of submission of the present report, there has been no operation or activity that has been identified as possibly requiring the implementation of the measures contemplated in resolution 2397 (2017), including the imposition of an arms embargo, an asset freeze or a travel ban on individuals participating in the nuclear programme of the Democratic People's Republic of Korea, and the prohibition of a number of imports and exports, with a view to preventing the Democratic People's Republic of Korea from conducting nuclear tests or launching ballistic missiles. Similarly, no evidence has been detected or found to intimate that any listed individuals have entered, left or travelled through our country, or that any individuals have helped them to evade sanctions or to violate the provisions of resolutions 1718 (2006), 1874 (2009) and 2397 (2017).

The executive branch has presented to parliament draft counter-terrorism legislation developed by a multidisciplinary committee comprising representatives of the three branches of government, the Office of the Attorney General and the Central Bank. The statute, which aims to align the country's laws with international standards, encompasses the phenomenon of terrorism, the proliferation of weapons of mass destruction and the financing thereof, and could become a cutting-edge piece of legislation and a model for the region, in that it was drafted in keeping with United Nations resolutions and the recommendations of organizations specializing in the topic, such as the Counter-Terrorism Committee Executive Directorate, with its technical guide, and the Financial Action Task Force of Latin America. In that connection, it is worth noting article 12 and following of the draft legislation, which aims to standardize the procedures for verifying the individuals and entities included in the lists annexed to Security Council resolutions 1267 (1999), 1988 (2011), 1989 (2011), 1718 (2006), 1737 (2006) and any subsequent, similar or complementary resolutions adopted on the topic. The legislation is also aimed at ensuring the efficient management of the cycle for countering the financing of terrorism and the proliferation of weapons of mass destruction by systematizing the verification of the lists and the application of sanctions by both financial and non-financial reporting entities.

There is also a plan to apply financial sanctions against the individuals referred to in the aforementioned resolutions by assigning powers to the relevant authorities and taking concrete steps.

The foregoing shows that Uruguay is making every effort to implement the measures necessary to comply effectively with resolution 2397 (2017) and its predecessor resolutions. To that end, there is fluid and constant communication with all State agencies that are in any way responsible for implementing the resolution, and nothing has been found so far to be reported to the Committee.

United Nations S/AC.49/2018/71

Security Council

Distr.: General
16 April 2018

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 13 April 2018 from the Permanent Mission of Czechia to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Czech Republic to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, pursuant to paragraph 17 of Security Council resolution 2397 (2017), has the honour to inform the Committee about the concrete measures taken by the Government of the Czech Republic to ensure the effective implementation of the relevant provisions of resolution 2397 (2017) (see annex).

18-06042 (E) 090518

Please recycle

Annex to the note verbale dated 13 April 2018 from the Permanent Mission of Czechia to the United Nations addressed to the Chair of the Committee

Report of Czechia on the implementation of Security Council resolution 2397 (2017)

The Czech Republic, as a State member of the European Union, implements the provisions of Security Council resolutions that fall within the scope of the competence of the European Union via decisions and regulations of the European Union. The Czech Republic has been taking part in the preparation of European Union legal instruments implementing the provisions of the relevant paragraphs of Security Council resolution 2397 (2017), with the aim of adopting them without delay, as it did on previous occasions for resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2356 (2017), 2371 (2017) and 2375 (2017).

The Czech Republic and the other European Union member States have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2397 (2017) by adopting the following common measures:

- Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No. 329/2007, which provides for the implementation of the above-mentioned measures falling within the scope of the Treaty on the Functioning of the European Union
- Council Decision (CFSP) 2016/849 of 27 May 2016 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Decision 2013/183/CFSP
- Council Implementing Decision (CFSP) 2018/16 of 8 January 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Implementing Regulation (EU) 2018/12 of 8 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Implementing Decision (CFSP) 2018/58 of 12 January 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Implementing Regulation (EU) 2018/53 of 12 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Decision (CFSP) 2018/89 of 22 January 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Implementing Regulation (EU) 2018/87 of 22 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Decision (CFSP) 2018/293 of 26 February 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea

- Council Regulation (EU) 2018/285 of 26 February 2018 amending Council Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Implementing Regulation (EU) 2018/286 of 26 February 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Implementing Decision (CFSP) 2018/331 of 5 March 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Implementing Regulation (EU) 2018/324 of 5 March 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea

Council regulations have a direct binding effect on all persons and entities, without the requirement that they be incorporated into national legislation, unless stipulated otherwise; therefore, once the above-mentioned instruments have been adopted, they are directly applicable within Czech legislation without any need of transposition.

The European Union also reinforces the United Nations sanctions regime by adopting autonomous restrictive measures, including stricter rules for restrictions on the transfer of funds and financial services, complementing and reinforcing the Security Council resolutions.

At the national level, Act No. 69/2006 Coll., on the carrying out of international sanctions, serves as a legal basis for the implementation of international sanctions. The Act adjusts, in relation to the directly applicable European Union legislation, selected obligations of natural and legal persons while implementing international sanctions for the purpose of maintaining or restoring international peace and security, protecting fundamental human rights and fighting terrorism. The Act also adjusts selected obligations of natural and legal persons while implementing international sanctions for the purpose of maintaining or restoring international peace and security, protecting fundamental human rights and fighting terrorism to which the Czech Republic is bound owing to its membership in the United Nations.

In the Czech Republic, the competent national authority responsible for the coordination of carrying out international sanctions imposed for the purpose of maintaining or restoring international peace and security, protecting fundamental human rights and fighting terrorism is the Financial Analytical Unit. Its authority is governed by Act No. 69/2006 Coll., on the carrying out of international sanctions, and Act No. 70/2006 Coll., amending selected acts in relation to the adoption of the Act on the carrying out of international sanctions. The Unit is responsible for coordinating the implementation of restrictive measures at the national level. Depending on the type of restrictive measures, other ministries and government agencies are involved in their field of competence.

The Czech Republic, as a member of all relevant control regimes, already has in place all the tools necessary to implement the above-mentioned resolution and subsequent European Union legal instruments on the export of sensitive goods and technology that could contribute to programmes of the Democratic People's Republic of Korea related to nuclear and other weapons of mass destruction or related to ballistic missiles. The Ministry of Industry and Trade grants licences for all imports and exports of military material. The decision to issue such licences is based on binding recommendations made by the Ministries of Foreign Affairs, the Interior and Defence.

With regard to financial sanctions, the Financial Analytical Unit issues directives that ensure the immediate and full implementation of financial sanctions (freezing measures) targeted at designated persons, entities and bodies that have been adopted by the Security Council in the period before the European Union adopts its own follow-up measures.

The consequences for breach of sanctions are fines of up to CZK 5 million. Breaches committed by an individual, a legal entity or an entrepreneur can result in the forfeiture of property or a fine of up to CZK 50 million if the profit gained or damage caused exceeded CZK 5 million. In some cases, a breach of sanctions amounts to a criminal offence. If the Ministry of Finance reasonably suspects that a criminal offence has been committed, it should provide the police with the necessary evidence.

As regards restrictions on travel (visa ban), a list of designated persons set by the above-mentioned European Union regulations is directly applicable and provides a basis for the refusal of admission and the denial of applications for a visa to enter the territory of the Czech Republic.

United Nations S/AC.49/2018/72

Security Council

Distr.: General
16 April 2018

Original: English

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 16 April 2018 from the Permanent Mission of Austria to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Austria to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith Austria's report on the implementation of Security Council resolution 2375 (2017) in accordance with paragraph 19 of that resolution (see annex).

18-06280 (E) 100518

Please recycle

Annex to the note verbale dated 16 April 2018 from the Permanent Mission of Austria to the United Nations addressed to the Chair of the Committee

Report of Austria on the implementation of Security Council resolution 2375 (2017)

1. Pursuant to paragraph 19 of Security Council resolution 2375 (2017), the Permanent Mission of Austria to the United Nations has the honour to inform the Security Council Committee established pursuant to resolution 1718 (2006) of the steps taken by the Government of Austria to implement the measures imposed in resolution 2375 (2017).

2. Austria and the other States members of the European Union have jointly implemented the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2375 (2017) following their transposition through the following common measures:[1]

(a) Council Implementing Decision (CFSP) 2017/1573 of 15 September 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which implements the designation of additional persons and entities (travel ban and asset freeze);

(b) Council Implementing Regulation (EU) 2017/1568 of 15 September 2017 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to Council Implementing Decision 2017/1573;

(c) Council Decision (CFSP) 2017/1838 of 10 October 2017 amending Decision (CFSP) 2016/849 concerning restrictive measure against the Democratic People's Republic of Korea, which sets out the commitment of the European Union to the implementation of the other measures contained in Security Council resolution 2375 (2017), including by:

(i) Prohibiting the provision of additional dual-use items related to weapons of mass destruction designated pursuant to paragraph 4 of resolution 2375 (2017) to the Democratic People's Republic of Korea;

(ii) Prohibiting the provision of additional items listed among the conventional arms-related items designated pursuant to paragraph 5 of resolution 2375 (2017) to the Democratic People's Republic of Korea;

(iii) Prohibiting entry into Member States' ports of vessels pursuant to paragraph 6 of resolution 2375 (2017);

(iv) Requiring Member States that are flag States and do not consent to inspection of a vessel on the high seas to direct the vessel to proceed to an appropriate and convenient port for the required inspection, and to immediately deregister the vessel following its designation by the Committee;

(v) Prohibiting the facilitation of or engagement in ship-to-ship transfers to or from vessels flagged by the Democratic People's Republic of Korea of any goods or items that are being supplied, sold or transferred to or from the Democratic People's Republic of Korea;

[1] All common measures are published in the *Official Journal of the European Union*.

(vi) Prohibiting the provision of all condensates and natural gas liquids to the Democratic People's Republic of Korea;

(vii) Prohibiting the provision of refined petroleum products to the Democratic People's Republic of Korea, unless the conditions contained in paragraph 14 of resolution 2375 (2017) are met;

(viii) Prohibiting the provision of an amount of crude oil to the Democratic People's Republic of Korea that is in excess of the amount that the member State provided in the period of 12 months prior to 11 September 2017, unless approved by the Committee in advance on a case-by-case basis;

(ix) Prohibiting the procurement of textiles from the Democratic People's Republic of Korea, unless the conditions contained in paragraph 16 of resolution 2375 (2017) are met, or unless approved by the Committee in advance on a case-by-case basis;

(x) Prohibiting the provision of work authorizations for nationals of the Democratic People's Republic of Korea in the jurisdiction of member States in connection with admission to their territories, unless approved by the Committee in advance on a case-by-case basis;

(xi) Prohibiting the opening, maintenance and operation of joint ventures or cooperative entities, unless approved by the Committee in advance on a case-by-case basis, and requiring the closure of existing ones by 9 January 2018 unless approved by the Committee on a case-by-case basis;

(d) Council Regulation (EU) 2017/1836 of 10 October 2017 amending Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to the measures set out in Council Decision (CFSP) 2017/1838;

(e) Council Implementing Decision (CFSP) 2017/1909 of 18 October 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea, which implements the designation of four vessels pursuant to paragraph 6 of resolution 2375 (2017);

(f) Council Implementing Regulation (EU) 2017/1897 of 18 October 2017 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, which gives effect to Council Implementing Decision (CFSP) 2017/1909.

3. The above-mentioned Council regulations are binding in their entirety and directly applicable in all States members of the European Union. Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No. 329/2007 requires member States to determine the penalties applicable to infringements of their provisions. Penalties for violations of directly applicable European Union law are set out in the respective sections of the relevant Austrian legislation mentioned in paragraph 4 below. Non-compliance may constitute a criminal offence punishable by up to five years of imprisonment or by a fine of up to 360 times the applicable daily rate (e.g., in the case of the Foreign Trade Act).

4. In addition to the common European Union measures, within the scope of Austria's national implementation competence, the Austrian authorities apply the following Austrian legislation in implementing the restrictive measures against the Democratic People's Republic of Korea imposed by the Security Council:

(a) Sanctions Act 2010 (Federal Law Gazette I No. 36/2010, as amended);

(b) Foreign Trade Act (Federal Law Gazette I No. 26/2011, as amended), supplemented by the First Foreign Trade Regulation (Federal Law Gazette II No. 343/2011, as amended) and the Third Foreign Trade Regulation (Federal Law Gazette II No. 6/2015, as amended);

(c) War Materials Act (Federal Law Gazette I No. 57/2001, as amended) and War Materials Regulation (Federal Law Gazette No. 624/1977);

(d) Foreign Exchange Act (Federal Law Gazette I No. 123/2003, as amended);

(e) Banking Act (Federal Law Gazette No. 532/1993, as amended).

5. As regards restrictions on admission (travel ban), Austria has enacted the following national legislation, which, together with Council Decision (CFSP) 2016/849 (as amended) and Regulation (EC) No. 539/2001, provides the basis for the refusal of admission and the denial of requests for visas:

(a) Aliens Police Act 2005 (Federal Law Gazette I No. 100/2005, as amended);

(b) Settlement and Residence Act (Federal Law Gazette I No. 100/2005, as amended).

The above-mentioned regulations require nationals of the Democratic People's Republic of Korea to be in possession of a visa when entering the European Union. The travel restrictions are implemented through the visa application process.

6. According to the competent national authorities, the implementation of the imposed measures currently does not pose any particular difficulty. The competent national authorities continue to exercise enhanced vigilance over the very limited bilateral import/export activities and continue to conduct outreach activities aimed at relevant trade and industry sectors to increase awareness of trade patterns and activities of entities of the Democratic People's Republic of Korea and to provide information about changes in the sanctions regime.

7. In 2017, in view of the growing concerns that the Democratic People's Republic of Korea might be abusing the privileges and immunities accorded under the Vienna Conventions on Diplomatic and Consular Relations, the Austrian authorities demonstrated enhanced vigilance in the conduct of inspections of two container shipments by the Embassy of the Democratic People's Republic of Korea in Vienna declared as household equipment and personal belongings of members of the diplomatic staff returning to the Democratic People's Republic of Korea upon the end of their tour of duty. The inspections were conducted in full accordance with article 36, paragraph 2, of the Vienna Convention on Diplomatic Relations, since, in the light of weight discrepancies and conflicting information in the shipping papers, there were serious grounds for presuming that the shipments contained articles the export of which was prohibited under the relevant sanctions provisions. Following the inspections and a thorough assessment by the competent authorities, the majority of the items were cleared for onward shipment. However, several items that were considered luxury items prohibited under the relevant European Union legislation were removed from the shipment and returned to the Embassy for use and/or consumption in Austria. Nevertheless, in accordance with section 79 of the Austrian Foreign Trade Act, criminal proceedings were initiated against the North Korean individuals responsible for the shipments, who had left their posts in Austria and thus no longer enjoyed absolute diplomatic immunity.

8. The Government of Austria is fully committed to maintaining its high level of implementation and to keeping the measures taken under review, as necessary.

United Nations S/AC.49/2018/73

Security Council

Distr.: General
18 April 2018
English
Original: French

Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 17 April 2018 from the Permanent Mission of Togo to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Togo to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith the report of Togo on the implementation of the measures taken by the Council against the Democratic People's Republic of Korea, as set out in resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017) and 2397 (2017) (see annex).

18-06294 (E) 270418 270418

Please recycle

Annex to the note verbale dated 17 April 2018 from the Permanent Mission of Togo to the United Nations addressed to the Chair of the Committee

Report of Togo on the implementation of Security Council resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017) and 2397 (2017)

Since independence and until the present day, the international policy of Togo has always been to seek international peace through peaceful coexistence among nations. Accordingly, its highest authorities have worked in the past, and continue to work, towards conflict resolution and the calming of hotbeds of tension. In that regard, Togo is fully committed to its international obligations to promote world peace.

Convinced that nuclear disarmament remains one of the conditions for the emergence of a peaceful world, Togo signed and ratified, on 1 July 1968 and 29 January 1970 respectively, the Treaty on the Non-Proliferation of Nuclear Weapons. By signing and ratifying this important legal instrument, the Government of Togo demonstrated its commitment to the non-proliferation of nuclear weapons.

The Government of Togo also signed, on 11 April 1996, the African Nuclear-Weapon-Free Zone Treaty (Treaty of Pelindaba), in force since 2009, and ratified it four years later, on 28 June 2000. The Government plays an active role in the reviews of the implementation of the Treaty, which it considers essential for collective security.

In addition, having served as a member of the Security Council from 1 January 2012 to 31 December 2013, Togo could not, under any circumstance, distance itself from the international community's efforts to curb nuclear proliferation. Therefore, the adoption by the Security Council of various resolutions, especially resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017) and 2397 (2017), condemning the Democratic People's Republic of Korea for its nuclear programme, is entirely consistent with the international policy of Togo, which fully endorses the content of those resolutions.

Togo is convinced that the implementation of the aforementioned resolutions will contribute to the consolidation of international peace and security.

However, Togo would like to emphasize that, according to official statistics, there have been no commercial exchanges or exchanges of human resources between Togo and the Democratic People's Republic of Korea during the past decade, including during the reporting period. It should be noted that there is no formal exchange or formal tie of cooperation between Togo and the Democratic People's Republic of Korea that would be in breach of the international commitments of Togo.

Nevertheless, in order to effectively comply with the aforementioned resolutions, the Ministry of Foreign Affairs, Cooperation and African Integration of the Togolese Republic has circulated the full texts of those resolutions to all relevant national institutions and has requested them to provide, where appropriate, regular information on the full and effective implementation of the provisions of the resolutions to the fullest extent. To that end, an inter-ministerial committee has been set up within the Ministry of Foreign Affairs. Representatives of the Ministry of Foreign Affairs preside over the committee, which draws its other members mainly from the Ministry of Defence and Former Combatants, the Ministry of Security and Civil Protection, the Ministry of the Economy and Finance, the Ministry of Mines and Energy, the Ministry of Infrastructure and Transport and the Ministry of Trade,

Industry, Private Sector Development and Tourism. The committee was established to discuss the aforementioned resolutions, compile the information received and produce reports on the sanctions concerning the Democratic People's Republic of Korea.

The interministerial committee's work has focused on several areas, including the arms trade, security, customs, financial transactions, transport and mining.

In the area of infrastructure and transport, we note that pursuant to the aforementioned resolutions, the Togolese Government, through the Ministry of Infrastructure and Transport, has removed from the Togolese register almost 20 vessels of the Democratic People's Republic of Korea that were flying the Togolese flag.

By decisions No. 184 and No. 185 of 15 April 2016 of the Directorate of Maritime Affairs of the Ministry of Infrastructure and Transport, the following vessels were deregistered:

- MV *Tong Da*, formerly *Dong Kun 6*, registration No. TG 00787, call sign 5VDT7, International Maritime Organization No. 8649993
- MV *Chon Myong 1*, formerly *Eastern Luck*, registration No. TG 00457L, call sign 5VCE8, International Maritime Organization No. 8712362

By decisions No. 306, 307, 308, 309, 310, 311, 312, 314, 315, 316, 317 and 318 of 29 June 2016 of the Directorate of Maritime Affairs of the Ministry of Infrastructure and Transport, the following vessels were deregistered:

- MV *Pu Gang*, registration No. TG 00827L, call sign 5VDY7, International Maritime Organization No. 8407888
- MV *Wan Long Hai*, registration No. TG 00792L, call sign 5VDU4, International Maritime Organization No. 9061227
- MV *Long Rich 5*, registration No. TG 5VDU4L, call sign 5VDW7, International Maritime Organization No. 8651178
- MV *Hera*, registration No. TG 00786L, call sign 5VDT6, International Maritime Organization No. 9009061
- MV *Bright Master*, registration No. TG 00789L, call sign 5VDT9, International Maritime Organization No. 9073165
- MV *Kun Peng*, registration No. TG 00830L, call sign 5VDZ2, International Maritime Organization No. 9012379
- MV *Long Rich 2*, registration No. 00797L, call sign 5VDU9, International Maritime Organization No. 8999544
- MV *Ming Yue*, registration No. 00788L, call sign 5VDT8, International Maritime Organization No. 8403911
- MV *Pole Star 1*, registration No. TG 00815L, call sign 5VDX3, International Maritime Organization No. 9011399
- MV *New Dawn*, registration No. TG 00783L, call sign 5VDT3, International Maritime Organization No. 9135494
- MV *Lucida 189*, registration No. TG 007739L, call sign 5VDN8, International Maritime Organization No. 8661719
- MV *Grand Hope*, registration No. TG 00790L, call sign 5VDU2, International Maritime Organization No. 8667414

By decisions No. 158, 159, 160 and 161 of 16 May 2017 of the Directorate of Maritime Affairs of the Ministry of Infrastructure and Transport, the following vessels were deregistered:

- MV *Yuko Maru*, registered in April 2016, International Maritime Organization No. 9022362
- MV *Rich Honor*, registration No. TG 00857L, call sign 5VEC5, International Maritime Organization No. 9138628
- MV *Xin Guang Hai*, registered on 9 January 2017, International Maritime Organization No. 9004700
- MV *Chon Won 67*, International Maritime Organization No. 8574409

In addition, Togo has sponsored several initiatives at the United Nations and others at the African Union and the Economic Community of West African States. It established a national agency responsible for State action at sea by Decree No. 2014-113/PR of 30 April 2014 to strengthen its institutional framework in order to give special attention to Togolese maritime security and safety.

In the area of trade, over the period from 2014 to 2016, the National Institute of Statistics and Economic and Demographic Studies detected the importation of various products and items from the Democratic People's Republic of Korea worth a total of 677,673,078 CFA francs. They included polyethylene, polypropylene, worn textiles, used diesel vehicles and frames. However, the technical services did not identify any Togolese exports to the Democratic People's Republic of Korea over the same period.

Since then, and following the adoption of the various resolutions, there have been no additional commercial transactions between Togo and the Democratic People's Republic of Korea.

Similarly, in the mining and energy sector and the armaments industry, Togo does not engage in any commercial, financial or military activity with the Democratic People's Republic of Korea.

In the light of the fact that peace and security are now given greater priority than development programmes, the Government of Togo has signed the various international legal instruments dealing with questions of disarmament and peacekeeping. Togo fully adheres to the foundations and obligations of Security Council resolution 1540 (2004) to avail itself of the opportunity to contribute to efforts to combat the proliferation of weapons of mass destruction.

With regard to the implementation of resolution 1540 (2004) by Togo, it should be noted that there are public administration institutions and legislative norms related to the management of hazardous products, such as weapons of mass destruction.

As concerns issues linked to security, the ban on entry into or transit through the national territory and checks on the activities of North Korean nationals in Togo, it should be noted that Togo does not have a formal framework of cooperation with the Democratic People's Republic of Korea and almost no citizens of that country are to be found in the various industries within the national territory.

Togo has no air or sea links with the Democratic People's Republic of Korea and does not receive in its ports or airports any vessels or aircraft originating in or travelling to the Democratic People's Republic of Korea.

It should also be noted that every provision has been taken by the relevant services to ensure the effective implementation of measures to prevent the entry or transit of designated individuals or their family members, or any person acting on behalf of a designated individual or entity.

In the field of customs and financial transactions controls, the services of the Togolese Revenue Office have never been aware of products or other goods from the Democratic People's Republic of Korea or identified as such. As a corollary, no currency movement to or from North Korea has been declared.

In banking and microfinance, the competent authorities did not find any evidence of transfers of funds to the Democratic People's Republic of Korea. There are no foreign correspondent banks in North Korea for Togolese banks. Similarly, there are no financial transactions involving primary or secondary income foreign direct investment.

Overall, Togo has no official or private contact with the Democratic People's Republic of Korea that would facilitate the movements and activities of individuals or entities linked to that country.

Therefore, Togo is complying with the Security Council measure intended to prevent direct or indirect supplies to the Democratic People's Republic of Korea, through the territory of Togo or using vessels or aircraft under the national flag.

Togo will continue to fully comply with the provisions of the aforementioned resolutions and the obligations therein and will inform the Committee, as soon as possible, of any further steps taken to give effect to the provisions of the resolutions adopted against the Democratic People's Republic of Korea.

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Security Council

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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 16 April 2018 from the Permanent Mission of Finland to the United Nations addressed to the Chair of the Committee

The Permanent Mission of Finland to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and has the honour to transmit herewith, with reference to paragraph 17 of resolution 2397 (2017), the report of Finland on the measures taken to implement effectively resolution 2397 (2017) (see annex).

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Annex to the note verbale dated 16 April 2018 from the Permanent Mission of Finland to the United Nations addressed to the Chair of the Committee

Report of Finland on the implementation of Security Council resolution 2397 (2017)

Finland has taken the steps below to implement effectively Security Council resolution 2397 (2017).

Measures adopted by the European Union pursuant to resolution 2397 (2017)

The restrictive measures adopted by the European Union against the Democratic People's Republic of Korea are based on Council Decision (CFSP) 2016/849 and Council Regulation (EU) 2017/1509 as amended.

Finland and the other States members of the European Union have jointly implemented the sanctions against the Democratic People's Republic of Korea imposed by the Security Council in its resolution 2397 (2017) by taking the following common measures:[1]

(a) Council Implementing Decision (CFSP) 2018/16 of 8 January 2018 and Council Implementing Regulation (EU) 2018/12 of 8 January 2018, implementing the designation of additional persons and one entity (travel ban and asset freeze);

(b) Council Decision (CFSP) 2018/293 of 26 February 2018 provides the basis for the implementation of other measures included in resolution 2397 (2017), notably:

(i) The European Union had already imposed a full prohibition on the direct or indirect export of crude oil to the Democratic People's Republic of Korea by virtue of Council Decision (CFSP) 2017/1860 of 16 October 2017, with the possibility of derogation for exports for humanitarian purposes if approved in advance by the Committee. In Council Decision (CFSP) 2018/293 it is further specified that the prohibition applies to the supply of all crude oil, whether or not originating in the territories of the member States, including by means of pipelines, rail lines or vehicles;

(ii) The European Union had already imposed a full prohibition on the direct or indirect export of all refined petroleum products to the Democratic People's Republic of Korea by virtue of Council Decision (CFSP) 2017/1860 of 16 October 2017, with the possibility of derogation for exports for humanitarian purposes in line with requirements set out in paragraph 14 of resolution 2375 (2017). In Council Decision (CFSP) 2018/293 it is further specified that the total amount of authorized exports must not exceed the aggregate annual limit of 500,000 barrels and must be in line with other conditions set out in paragraph 5 of resolution 2397 (2017);

(iii) Prohibition on the acquisition of fishing rights from the Democratic People's Republic of Korea;

(iv) Prohibition on importing food and agricultural products, machinery, electrical equipment, wood, vessels and earth and stone (including magnesite and magnesia);

(v) Prohibition on the export of all industrial machinery, transportation vehicles, iron, steel and other metals, a member State may authorize export of

[1] All common measures are published in the *Official Journal of the European Union*.

spare parts if needed to maintain the safe operation of commercial civilian passenger aircraft of the Democratic People's Republic of Korea;

(vi) The prohibition on the export of vessels was already introduced in the European Union by virtue of Council Decision (CFSP) 2017/345 of 27 February 2017;

(vii) Obligation of member States to repatriate to the Democratic People's Republic of Korea immediately, and no later than 21 December 2019, all nationals of that country who are earning income in the jurisdiction of a member State and all government safety oversight attachés of the Democratic People's Republic of Korea monitoring its workers abroad, unless repatriation is prohibited, subject to applicable national and international law;

(viii) Obligation of member States to seize, inspect and impound any vessel in their ports and the power to seize, inspect and impound any vessel subject to their jurisdiction in their territorial waters if there are reasonable grounds to believe that the vessel has been involved in prohibited activities;

(ix) Obligation of member States to cooperate as promptly as possible with another State on requests for additional maritime and shipping information if there is information that leads it to suspect that the Democratic People's Republic of Korea is attempting to export or procure illicit cargo;

(x) Prohibition on providing insurance or reinsurance services to vessels identified as being involved in prohibited activities;

(xi) Prohibition on providing classification services to vessels identified as being involved in prohibited activities;

(xii) Obligation of member States to deregister any vessel if there are reasonable grounds to believe that the vessel has been involved in prohibited activities and the obligation to deny registration of any such vessel that has been deregistered by another State;

(xiii) Obligation to seize and dispose of items the export of which is prohibited pursuant to resolution 2397 (2017);

(xiv) Prohibition on satisfying any claim in connection with any contract or transaction the performance of which has been affected by the measures provided for in resolution 2397 (2017);

(c) Council Regulation (EU) 2018/285 of 26 February 2018 provides for the implementation of the above measures, falling within the scope of the Treaty on the Functioning of the European Union.

National implementing measures

The above-mentioned European Union Council Regulations are binding in their entirety and directly applicable in all States members of the European Union. Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea, requires member States to determine the penalties applicable to infringements of its provisions.

At the national level, sanctions are enforced by virtue of the Act on the Enforcement of Certain Obligations of Finland as a Member of the United Nations and of the European Union (Sanctions Act, No. 659/1967). The Sanctions Act, together with the Criminal Code (No. 39/1889), provides the penalties and forfeitures to be imposed for violations of European Union Council Regulations.

According to chapter 46, section 1 (9), of the Criminal Code, a person who violates or attempts to violate a regulatory provision contained or issued on the basis of a European Union Council Regulation on restrictive measures shall be sentenced for a regulation offence to a fine or to imprisonment for at most two years. Pursuant to chapter 46, sections 2 and 3, of the Criminal Code, the penalty for an aggravated regulation offence is at least four months and at most four years of imprisonment; when the regulation offence is deemed petty, the offender shall be sentenced for a petty regulation offence to a fine.

The arms embargoes imposed in Security Council resolutions and European Union Council Decisions are implemented at the national level by virtue of the Act on the Export of Defence Materiel (No. 282/2012). This legislation applies to all goods included in the Common Military List of the European Union. The export of arms and related materiel and the provision of brokering services and other services related to military activities are subject to specific authorization. Authorization will not be granted for the export of defence materiel to any country that is subject to an arms embargo, unless grounds for exemption exist for the type of export in question, as provided for in a Security Council resolution or a European Union Council Decision.

According to chapter 46, section 11, of the Criminal Code, violation or attempted violation of the authorization scheme referred to in the Act on the Export of Defence Materiel is punishable as a defence supplies export offence. The offender shall be fined or imprisoned for a maximum period of four years.

The export, transit and brokering of dual-use goods, software and technology require a licence from the Ministry of Foreign Affairs as provided for in the Act on the Control of Exports of Dual-Use Goods (Act No. 562/1996) in line with the European Union export control regime governed by Council Regulation (EC) No. 428/2009, as amended. Authorization can be denied inter alia, on the grounds of international obligations that are binding on Finland. Violations or attempted violations of a regulatory provision contained in the Act are punishable as a regulation offence, as provided for in chapter 46, sections 1–3, of the Criminal Code.

The Aliens Act (No. 301/2004) regulates the requirements concerning admission into Finland and visa issuance. The Aliens Act, together with Council Decision (CFSP) 2016/849 and Regulation (EC) No. 539/2001 of 15 March 2001, as amended, provides the basis for the refusal of admission and the denial of visa applications concerning the persons subject to the travel ban.

Responsibility for the enforcement of European Union restrictive measures is divided among the relevant national authorities. For example, the freezing of funds of a natural or legal person designated in a Council Regulation is executed by the Enforcement Authority at the request of the Ministry of Foreign Affairs. Other competent authorities include the National Bureau of Investigation, the Finnish Border Guard and Finnish Customs.